

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
CITY COUNCIL/COUNTY COMMISSIONERS HEARING ROOM
TUESDAY, FEBRUARY 5, 2002
9:30 A.M.**

Commissioners Present: Bob Workman, Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 9:30 a.m.

AGENDA ITEM

1 ADDITION TO THE AGENDA

A. Report on Legislative Bill (LB) 447

MOTION: Campbell moved and Stevens seconded approval of the addition to the agenda. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

2 NEBRASKA STORMWATER PROGRAM - Steve Masters, City Public Works/Utilities; Don Thomas, County Engineer

Steve Masters, City Public Works/Utilities, gave an overview of the following (Exhibit A):

- Stormwater issues effecting the community of Lincoln
- Stormwater utility
- LB 936 (authorize drainage programs and storm sewer systems for cities, villages, and natural resources districts)

NOTE: Exhibit A also included the following:

- Beal Slough Basin Map
- Photograph depicting channel degradation in the Beal Slough
- Photograph of flooding on Eagle Ridge Circle
- Lancaster County Flood Boundary and Floodway Map
- Stormwater Utility Survey, 1998-1999

Masters said stormwater programs are currently funded out of the General Fund. He said a property owner would pay a fee, based on the amount of contribution they make to the storm sewer systems (impermeable surface) if there is a stormwater utility. Masters estimated that a residential property with 2,000 square feet of impermeable surface would pay a monthly fee of \$5-\$10.

In response to a question from Stevens, Masters said he could see a need for a \$5 million annual stormwater utility program. He said these dollars would be used for construction, operation, maintenance, monitoring and reporting requirements.

Campbell said she supports LB 936 because it would enable any of Lancaster County's communities to create a stormwater utility.

Workman asked whether County residents could be taxed, if Lincoln approved a stormwater utility.

Masters said that is not the case with water and sewer utilities. He said the Lower Platte Natural Resource District (NRD) is proactive in working with stormwater issues and has an interlocal agreement with the City. Masters suggested that the interlocal agreement could be expanded to include the County.

Don Thomas, County Engineer, said Phase II of the Stormwater Act is referenced in LB 936, but said it is difficult to see how they relate to each other. He expressed concern with Section 15 of the bill which states:

A natural resources district shall have authority to exercise the powers provided under Section 14 of this act in any area within the boundaries of the district which is outside of the corporate limits of any municipality. A municipality shall have authority to exercise the powers provided under such section in any area which is within the corporate limits of the municipality and shall also have concurrent authority under such section to exercise such powers in any area which is within the municipality's zoning jurisdiction.

Thomas said "This essentially means that the NRD can come up with some kind of stormwater management policy that's even beyond the federal regulations of Phase II, and they are the governing body by LB 936."

Masters said "We have been working with the bill drafter in the Nebraska Legislature's Natural Resources Committee to add language that would allow NRD's and counties to create utilities requiring, however, the consent of the represented governing bodies."

MOTION: Campbell moved and Stevens seconded to support Legislative Bill (LB) 936, with the stipulation that language protecting the interests of the governing bodies be inserted into the bill.

In response to a question from Stevens, Masters said the City has taken the initiative to bring the bill to the Natural Resources Committee. He said the Lincoln Independent Business Association (LIBA) and Chamber of Commerce are also generally supportive of the bill.

Hudkins said he would not want to see the City place a stormwater assessment on residents within the City's three mile zoning jurisdiction, noting the lack of City Council representation for those residents.

Masters said he believes the County's support of the assessment would be needed.

ON CALL: Campbell, Hudkins, Stevens and Workman voted aye. Motion carried.

The Board asked Masters to draft a letter of support for the Board to sign. The County Engineer will review the letter to see that his concerns are addressed.

3 CHANGE ORDER FOR JUVENILE DETENTION CENTER - Chris Beardslee, Sinclair Hille & Associates Inc.; Dennis Banks, Lancaster County Juvenile Detention Center Director; Greg Pettibone, Lancaster County Juvenile Detention Facility Project Manager

Hudkins said Jim Hille, Sinclair Hille & Associates Inc., informed him that the sprinkler system was not in the original bid document.

Chris Beardslee, Sinclair Hille & Associates Inc., said that is correct. He explained that sprinkler systems are included in the bid documents as a performance specification and said it is the contractor's responsibility to know where the sprinklers are required by code to be located. He said the plumbing chases were mistakenly identified as a potential places of storage, due to the fact that they have doors, noting plumbing chases are not required to have sprinklers. He said gypsum board ceilings were also indicated for the plumbing chases and were the basis of the credit, as they are not required by code.

The Board asked Beardslee to obtain a written authorization from the State Fire Marshal for the change.

Beardslee also reported that an error was identified in a review of the credit and said the correct amount is \$1,504.

4 DISCUSSION ON LINCOLN PARTNERSHIP FOR ECONOMIC DEVELOPMENT AND LINCOLN CONVENTION AND VISITORS BUREAU

Lincoln Partnership for Economic Development

Workman reported that he attended a meeting of the Lincoln Partnership for Economic Development (LPED) earlier in the day. He said topics of discussion included:

- A report on business development in Lincoln
- Gallup survey on telecommunications
- A report on the role of the University of Nebraska in Economic Development

Workman said Mayor Wesely reported on plans by the City and County to fund a Technology Development Project Coordinator and Economic Development Project Manager. He said supervision of the positions was not discussed at the meeting, but said written materials indicate that the Technology Development Project Coordinator will report to the Mayor and the Economic Development Project Manager will report to LPED.

Campbell said it had been her understanding that the two positions would be under the "LPED umbrella".

MOTION: Hudkins moved and Campbell seconded to direct the Chair and Vice Chair to relay the County Board's position that supervision of the Economic Development Project Manager and Technology Development Project Coordinator positions should be under the jurisdiction of the Lincoln Partnership for Economic Development (LPED) to Mayor Wesely. Campbell, Stevens, Workman and Hudkins voted aye. Motion carried.

Board consensus to review the interlocal agreement with the City for Economic Development.

Lincoln Convention & Visitors Bureau

Workman gave an overview of the Lincoln Convention and Visitors Bureau (CVB) budget, noting 31% of the \$800,000 is spent on promotion and 50% is spent on personnel costs.

In response to a question from Hudkins, Workman said the County's contract with the Chamber of Commerce is automatically renewed on July 1, unless one of the parties elects to terminate (90 day notice of intent not to renew required).

Eagan said one year would be a more practical time frame in which to locate a new provider.

In response to a question from Hudkins, Eagan said CVB employees can not conduct other Chamber of Commerce business, with the exception of some coverage for the receptionist.

Campbell proposed that a review of the contract and budget be scheduled on a Staff Meeting agenda with representatives of the Chamber of Commerce.

Stevens suggested that consideration be given to putting out a Request for Information (RFI).

Eagan said the contract stipulates that the Chamber of Commerce is not the exclusive visitors' promoter, so the County could contract with other entities. He said the contract also provides for quarterly meetings with the Lincoln Convention and Visitors Bureau (CVB) and Visitors Promotion Advisory Committee (VPAC).

Eagan noted that the VPAC will hold its Budget Retreat in April, 2002 and said this would be an excellent opportunity for the hotel industry to bring forth its concerns. He said the VPAC's bylaws provide for monthly meetings but it elected to hold only quarterly meetings, as there was a limited amount of business to conduct.

Hudkins said he favors having the VPAC meet more frequently.

Eagan said the CVB holds monthly meetings with invitations extended to members of the tourist industry, including hotels. Monthly meetings are also held with the hotel managers and other members of the tourist industry.

Workman suggested that the CVB have a board of directors, rather than an advisory board.

Campbell said the County Board serves in that capacity and can not statutorily relinquish that duty.

Eagan said the VPAC could be expanded from five to seven members, but State Statutes currently restricts the number of hotel industry appointments to two.

5 COMMITTEE ASSIGNMENTS

The Board reviewed a list of committee assignments (see agenda packet). The item was rescheduled on the February 7, 2002 Staff Meeting agenda.

ADDITION TO THE AGENDA

A. Report on Legislative Bill (LB) 447

Hudkins reported that LB 447 (provides for acquisition of country roads through arbitration) was killed by the Nebraska Legislature's Transportation Committee. Thirty votes will be needed to pull it from committee. He noted that County Engineering opposes the bill.

6 ADJOURNMENT

MOTION: Stevens moved and Campbell seconded to adjourn the meeting at 11:12 a.m. Campbell, Workman, Hudkins and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk